

Globalstar

Loral Qualcomm Satellite Services, Inc.

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

JAN 12 1994

BY HAND DELIVERYWilliam F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, DC 20554

92-28

Re: CC Docket No. 92-166
ET Docket No. 92-28

Dear Mr. Caton:

This letter is submitted on behalf of Loral Qualcomm Satellite Services, Inc. ("LQSS") to correct the record with respect to a letter filed on December 3, 1993, by AMSC Subsidiary Corporation.

1. In its letter, AMSC claims without support that international coordination of AMSC's authorized MSS system has resulted in a "shortage" of MSS spectrum for its use.

However, as the Commission is aware, AMSC has been assigned 30 MHz of spectrum for its domestic MSS system. This allocation remains in effect. Moreover, AMSC has been assigned this 30 MHz of spectrum on an exclusive basis in the United States.

AMSC states that it expects to have access to 20 MHz of spectrum for its system as a result of international coordination (although it does not indicate that this figure is a maximum). But, only about 90 MHz of spectrum have been allocated in the United States for MSS. By comparison, exclusive access to 30 MHz -- or even 20 MHz -- of MSS spectrum cannot be considered a "shortage of spectrum."

2. It is misleading for AMSC to claim that its system will offer "a full range of high-quality mobile services." In fact, AMSC will only be able to offer a limited range of services in a geographically-restricted service area. AMSC's geostationary system cannot offer service to handheld transceivers which the public will demand in the current era of personal communications services. Moreover, AMSC's system is limited to providing service in North America.

3. AMSC's "cooperation" in reaching a resolution of the spectrum-sharing issue for MSS/RDSS is greatly overstated in the

letter. While the proponents of nongeostationary systems like Globalstar propose to use CDMA access technique in order to facilitate frequency sharing and multiple entry, AMSC states that it is only willing to do so "if required by the Commission."

Reaching a negotiated resolution for spectrum usage in the MSS/RDSS bands requires more effort than waiting for directives from the Commission, and AMSC's inflexible position can be contrasted with the LQSS-Motorola Satellite Communications, Inc. spectrum-sharing plan submitted to the Commission on October 7, 1993.

4. AMSC's asserted ability to share or not to share appears to depend upon the exigencies of the proceeding. In its letter, AMSC claims to be able to modify its technical design to share in order to obtain access to the MSS/RDSS bands. But, in a pleading related to its application to use the Maritime Mobile Satellite Service band -- arguing for exclusive access to MMSS spectrum -- AMSC states that "it is virtually impossible for two systems serving the same area to share frequencies regardless of orbital location." AMSC Consolidated Opposition and Reply, at 12 (filed Dec. 22, 1993) (File No. 59-DSS-MP/ML-93).

AMSC's letter does nothing to detract from the recommendation of the "Big LEO" applicants to exclude geostationary systems from the MSS/RDSS bands. The public interest demands that geostationary systems be excluded from these bands because:

The "Big LEO" systems will offer enhanced MSS services to handheld transceivers which geostationary systems admittedly cannot provide.

The "Big LEO" systems will offer the public international personal communications service which is beyond the capability of AMSC's system.

The "Big LEO" systems have not been assigned any spectrum while the authorized geostationary system already has monopoly access to 30 MHz.

The "Big LEO" systems should be given an opportunity to develop free from competition in the same band by a monopolist with access to its own, exclusive spectrum.

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The recommendation of the "Big LEO" applicants to exclude geostationary systems from the MSS/RDSS band is based on the current status of the authorized geostationary system and the potential advantages offered by nongeostationary systems. As the Commission considers this issue, it is important that the record correctly reflects the facts underlying this comparison.

Respectfully submitted,

A handwritten signature in cursive script, reading "Dale Gallimore".

Dale Gallimore
Counsel,
Loral Qualcomm Satellite
Services, Inc.

cc: Parties of Record